

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

MATTIEU BURKS,

Plaintiff,

v.

**9:16-CV-759
(FJS/DEP)**

CHAD STICKNEY, Correction Officer, Clinton Correctional Facility; NOLAN, Correction Officer, Clinton Correctional Facility; SMITH, Correction Officer, Clinton Correctional Facility; EDWARD L. PEPPER, Correction Officer, Clinton Correctional Facility; JOHN MARK CROSS, Sergeant, Clinton Correctional Facility; JOHN DOE "E" BLOCK, Sergeant, Clinton Correctional Facility; STEVEN RACETTE, Superintendent; MICHAEL KIRKPATRICK, Superintendent; JOHN DOE, Supervisor in Charge of Security; JOHN DOE 1-25, Correction Officers; DAVID J. CHAMBERLAIN; and JOSHUA R. WOOD,

Defendants.

ATTORNEYS

OF COUNSEL

STOLL GLICKMAN & BELLINA LLP
475 Atlantic Avenue, Third Floor
Brooklyn, New York 11217
Attorneys for Plaintiff

LEO GLICKMAN, ESQ.

**OFFICE OF THE NEW YORK
STATE ATTORNEY GENERAL**

The Capitol
Albany, New York 12224
Attorneys for Defendants

DENISE P. BUCKLEY, AAG

SCULLIN, Senior Judge

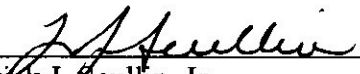
ORDER

Having reviewed Plaintiff's petition, his attorney's affirmation, and the exhibits attached thereto, *see* Dkt. Nos. 55-56, the Court hereby

ORDERS that Plaintiff's motion for a Temporary Restraining Order/Order to Show Cause, *see* Dkt. Nos. 55-56, is **GRANTED effective immediately** insofar as Defendants' counsel is prohibited from proceeding with any arrangements she, any member of the New York State Attorney General's Office or the Department of Corrections and Community Supervision has made or may make in the future to have Plaintiff view the photographs of the officers who worked at C-block during the relevant shift at issue in this case, with or without video and stenographic recording of said viewing, without Plaintiff's counsel being present for said viewing.¹

IT IS SO ORDERED.

Dated: June 14, 2017
Albany, New York



Frederick J. Scullin, Jr.
Senior United States District Judge

¹ The Court reminds counsel that their conduct is governed by the Rules of Professional Responsibility with regard to all of their interactions with opposing parties who are represented by counsel.